

This handbook is designed to promote understanding of the Board of Education Policies and expectations for the conduct for all students, parents, staff and the community as we come together to provide high quality educational experiences.

Students please keep track of this Code of Conduct handbook at all times.

For an additional copy, contact your building principal.

An on-line publication of the Code of Conduct can be obtained through the

District website: www.kckps.org

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District Vision

Striving to become one of the TOP 10 School Districts in the Nation

District Mission

INSPIRING EXCELLENCE: Every Grownup, Every Child, Every Day

Key to Success

Excellence in Instruction

Supported by:

Collective Responsibility

Every Adult in the System is responsible to actively commit to the District's Mission, attainment of the District's Vision, Achievement and Instructional Goals,

Each Student is responsible to come to school prepared to do their best, and work to be on track and on-time for success.

Each Parent works to support their child's education, to engage "with" and "in" the schools, to encourage their child to do their best, and to read every day.

The Community actively promotes education through overt and positive messages of support for children, provide resources and partnerships, and by engaging "with" and "in" the schools.

Click on page in table of contents to go to it automatically

TABLE OF CONTENTS

Part One

Note to Parent	1
Support for Every Student	2
Jurisdiction of School Officials	3
Code of Conduct Expectations	4-5

Part Two

Student, Parent/Guardian, District Staff and Community Responsibilities	6-7
---	-----

Part Three

Attendance	8
Bullying Definition	9
Cell Phone Use Policy	10
Pupil Transportation	11
Discipline: Offenses/Definitions	12
Class I Behaviors and Definitions.....	13
Excessive Tardiness.....	13
Improper Display of Affection.....	13
Non-Conformity to Dress Code.....	13
Obscene Behavior/Use of Profanity.....	13
Possession of Educational Nuisance.....	13
Skipping Class.....	13
Unauthorized Sale of Distribution or Items Not Otherwise Specified	13
Violating Hall Rules	13
Violating Lunchroom Rules.....	13
Violating Playground Rules.....	13
Violating School Assembly Rules	13
Classification I Interventions and Consequences.....	14
Class II Definitions and Explanations	15
Academic Dishonesty/Cheating Forgery.....	15
Contributing to or Inciting a Disruptive Situation	15
Defamation	15
Defiance of Authority	15
Disrespect	15
Fighting.....	15
Gambling	15
Gross Disruptive Behavior	15
Impermissible Driving to School	15
Inappropriate Computer/Internet Misuse	15
Inciting to Fight	15
Leaving School without Permission	15
Misbehavior on Bus	15
Misuse of Technology Devices	16
Possession of Incendiary Devices	16
Setting Off Falsely or Misuse of Disaster Alarm or Equipment	16
Stealing/Theft	16
Tobacco Possession	16
Tobacco Use	16

Trespassing	16
Truancy/Skipping School	16
Vandalism: Personal	16
Vandalism: School Property	16
Violation of Parking Rules	16
Classification II: Interventions and Consequences	17
Class III Definitions and Behaviors	18
Alcohol Possession	18
Alcohol Solicitation/Sale	18
Alcohol Use	18
Drug Paraphernalia Possession	18
Extortion	18
False Reports/Bomb Threats/School Threats	18
Gang Related Activity	18
Gross Disrespect Abuse of Teacher/Staff	19
Harassment/Conduct: Hate-Related	19
Harassment: Individual	19
Harassment: Cyber bullying	19
Harassment: Sexual	19
Illicit Drug Possession	19
Illicit Drug Use	19
Illicit Drug Solicitation/Sale	19
Indecent Exposure	19
Intimidation/Threatening of Staff and Students	19
Marijuana Possession	20
Marijuana Use	20
Marijuana Solicitation/Sale	20
Non-Violent Sexual Offenses	20
Physical Assault/Battery	20
Possession of Dangerous Devices	20
Possession w/the Intent to Sell, Give, Deliver, or Distribute Alcohol, Drugs, Inhalants, Controlled Substances, Drug Paraphernalia, and/or Look-Alikes	20
Robbery	20
Sexual Misconduct	21
Stalking	21
Tobacco Solicitation/Sale	21
Use and/or Threat to Use Fireworks or Explosive Possession, Sale, Distribution, Detonation, or Threat of Detonation of an Incendiary or Explosive Device	21
Classification III Interventions and Consequences	22
Class IV Definitions and Behaviors	23
Aaron/Fire	23
Kidnapping	23
Murder/Homicide	23
Possession of a Firearm/Weapon	23
Sexual Assault	23
Solicitation/Sale of a Weapon	23
Use of Weapon	23

The Weapon-Free School Act	23
Classification IV Intervention and Consequence	24
Administrative Options for Violations	25
Corporal Punishment.....	26
 Part Four	
Options/Definitions	26
BIST	26
Compulsory Attendance	26
Detention	26
Extended-Term Suspension	26
Expulsion.....	26
Friday, Saturday School and/or Extended Day.....	26
In-School Suspension (ISS).....	26
Project P.A.C.T.....	26
Parental Notification/Notice	26
School Connect® Curriculum	27
Second Step® Curriculum	27
Short-Term Suspension.....	27
Student Improvement Team (SIT)	27
Truancy	27
Alternative School Program (ASP)	27
Notice of Placement in Alternative Program	27
 Description of School-Based Alternative/Options.....	
Adult/Teacher Mentor	28
After School Activities.....	28
Behavior Contracting.....	28
Parent Conference	28
Peer Leadership/Helpers.....	28
Peer Mediation	28
Saturday School	29
Short-Term Suspension/Alternative Program	29
Time Owed/Time for Time	29
Tutoring Sessions.....	29
 Description of Community-Based Alternative/Options.....	
Community Service Programs.....	30
Job Service/Training Programs	30
Law Enforcement.....	30
Local Treatment Centers	30
Mental Health Centers.....	30
Social Service Agencies	30
Social Rehabilitative Services.....	31

Part Five

Procedures for Suspension and Expulsion	32-36
Selected Kansas Laws Relating to Student Safety and Possession of Weapons	37
The Kansas School Safety and Security Act	37
Criminal Possession of a Firearm	37
Possession of Firearm by a Juvenile	38
Suspension of Driver's License	38

A Note to Parents

The Kansas City, Kansas Public Schools (KCKPS) has established a challenging vision, to become one of the top ten school districts in the nation! This vision matches both the potential of what our students are capable of achieving, and the hopes and dreams of our students, their parents, and this community.

To reach this vision, the entire community will need to work together collaboratively. Students will need to come to school, ready and willing to learn. They will need support from parents, teachers, administrators and community members, in order to learn the necessary skills to be successful in school, and in life. As a community, we must be responsible for making sure that our young people learn the skills that they will need, in order to grow into healthy and productive adults, ready to contribute to the health and prosperity of our community.

It is our hope that this handbook will promote a better understanding of the policies, procedures, and expectations that have been established in KCKPS in order to foster a positive learning environment. Our goal is to create and maintain a school environment that will give all children the opportunity to be successful. Please take some time to look through the information contained inside, and to talk about it with your child. If there are items about which you have questions, please feel free to talk about them with your principal, or to contact our Office of Student Services.

The district is committed to providing all of its students the support and guidance they need to be life-long learners and good citizens. By reading this Code of Conduct and discussing the importance of good behavior with your children, you will assist the district in our efforts to help your children reach their highest potential. We look forward to having a great year together, as we seek to fulfill our mission: "Inspiring Excellence: Every Grownup, Every Child, Every Day!"

Support for Every Student

The Multi-Tier System of Support (MTSS) is a framework promoted by the Kansas Department of Education (KDES) as a way to look at and think about strategies schools has in place to prevent academic and behavioral problems and also provide systematic, data-driven interventions when problem behaviors occur. This framework provides levels of interventions to communicate to you and your student the steps in providing assistance. Research in schools has shown that teaching school appropriate pro social skills as a preventative step and as an intervention to replace most problem behavior is highly effective and supports academic achievement.

The MTSS is used throughout Kansas and in Kansas City Kansas Public Schools to describe how every adult will provide supports for success for every student and every school. This directly ties with the district's mission of inspiring excellence: every grown up, every child, every day. The district uses a variety of academic and behavior strategies that support the levels of interventions that support life skills, communication and procedures that assist in promoting a caring, safe and secure environment for all students. To learn more about the specific intervention strategies utilized, contact your son or daughter's school.

The Key to Success is "excellence in instruction":

These supporting beliefs affirm our district's critical features for improvement.

- 1) Student Achievement is our Primary Focus: Everything else is in service to this outcome.
- 2) All Adults are Collectively Responsible for the Success for Our Students
- 3) We function as a "Community of Learners"

Jurisdiction of School Officials

School officials may discipline students for misconduct as defined in this Code of Conduct, which occurs in and around school property or activities.

While misconduct, which occurs outside the school environment, is an issue to be addressed by local law enforcement, school officials may discipline students for such conduct when the conduct impacts the school environment, educational objectives and the greater interests of the school district. Accordingly, school officials may discipline students for conduct occurring:

While on or about school premises;

While en route to and from school, including bus stops;

While on school buses to and from school, on school-sponsored field trips, and while attending or participating in extracurricular activities;

While engaged in school related activities on or off premises;

While on school property, but during non-school hours; and/or

While off school premises if the misconduct is directed toward school personnel.

Code of Conduct Expectations

The following pages outline the high, clear and fair expectations for our community of learners in Kansas City Kansas Public Schools. Examples are given for each standard; however, this is not intended to be a complete list.

1. EMPATHY:

Be understanding of others....

Demonstrate consideration of others at all times and seek reconciliation in conflict.

- a. Be a listener
- b. Respect the ideas of others
- c. Respect the feelings, experiences, needs and wants of others
- d. Use respectful racial, gender and preference language
- e. Respect the cultural and religious differences of others

2. EMOTION MANAGEMENT AND SELF-AWARENESS:

Take charge of yourself...

Demonstrate the ability to work within limits established personally and within the school community.

- a. Use positive self talk
- b. Engage in appropriate, non-impulsive and/or non-aggressive behaviors
- c. Show good sportsmanship
- d. Comply with proper bus procedures
See Pupil Transportation on page 11

3. RESPECTFUL BEHAVIOR AND COMMUNICATION:

Treat each person as you should be treated....

Model positive behavior and language, which reflects cooperation with all members of the school community in order to realize opportunities for academic and personal growth.

- a. Exhibit a positive, cooperative attitude about school and learning
- b. Be a friend
- c. Avoid using profane and obscene language and gestures
- d. Act as a mediator in bullying or aggressive situations

4. DECISION MAKING AND PROBLEM SOLVING:

Make decisions after thinking and using consideration....

Learn how to solve problems logically, rather than acting out of impulse.

- a. Be flexible and adaptive to change
- b. Promote justice and strive for fairness
- c. Create a supportive learning community
- d. Tell the truth and be honest

5. PERSEVERANCE:

Stick to it...

Be diligent with inner strength and determination to pursue goals.

- a. Build academic strengths
- b. Understand the process and benefits of setting goals
- c. Set goals and create plans to achieve them
- d. Create career and college goals
- e. Act to become career and college ready
- f. Attend school and participate
- g. Use effective effort...focus + commitment + strategies

6. RESPONSIBILITY:

Be accountable...

Accept responsibility for actions and education while abiding by established school rules, regulations, and the laws of the community, state, and nation.

- a. Attend school daily and be on time (don't be truant)
- b. Assume responsibility for what you do by accepting consequences
- c. Make up all missed work as required
- d. Complete and turn assignments in on time
- e. Do your own work (do not plagiarize)
- f. Support and be involved in your school
- g. Participate in community projects and activities
- h. Monitor and be responsible for your own academic progress

In order for our students to maximize the opportunities provided through public education, everyone shares in the collective responsibility of promoting and modeling behavior that provides an environment in which all students will have the opportunity to learn.

Student, Parent / Guardian, District Staff and Community Responsibilities

All members of society have a major role to play as positive models for respectful behavior. Respectful behavior toward self, others, property, and divergent thought or behavior is a minimal expectation in order to function in society. The following discuss the student, parent, district staff, and community expectations and responsibilities in the delivery of educational services.

Students' Responsibilities

It is important that students take an active role in monitoring their own behavior and model appropriate behavior for their fellow students. In order to accomplish this, students must:

1. Know the conduct expectations;
2. Follow the conduct expectations and know the consequences for the offenses;
3. Set goals for improvement, in both academics and behavior;
4. Accept feedback and accept the consequences and/or interventions.

Parents' and/or Guardians' Responsibilities

Parents and/or guardians are the first teachers who provide direction for your children. With the support of the community, the parents of USD 500 students must:

1. Know the conduct expectations and discuss them with your children;
2. Know the consequences for the offenses and discuss them with your children;
3. Support and reinforce the interventions and/or consequences;
4. Ensure that their children attend school every day and arrive on time;
5. Provide your children with a warm, nurturing, and healthy environment, ensuring the support needed to be successful;
6. Support and reinforce behavior expectations and disciplinary policies of the school by assuming the primary responsibility for the discipline of your children;
7. Cooperate with and support classroom teachers and staff. Maintain regular communication with teachers regarding your children's schoolwork and behavior.
8. Reinforce learning at home by monitoring your children's homework and academic progress and by supporting academic and extracurricular activities, for example, attending Family Advocacy Days, utilizing School Loop or email, and contact with your child's advocate.
9. Teaching your children to seek positive resolution to problems encountered in daily living and to handle confrontation non-violently.

District Staffs' Responsibilities

Each member of the district staff has the primary responsibility of providing for the educational needs of all students. The district staff members are responsible for:

1. Establishing an atmosphere conducive to learning and resulting in appropriate behavior and good study habits;
2. Teaching and modeling the conduct expectations;
3. Building close and productive relationships with students and their families by providing time, respect, caring and effective communication;
4. Demonstrating a high level of organizational and instructional management to create a quality classroom environment with an appealing atmosphere;
5. Learning and utilizing informal strategies for intervening with inappropriate behavior;
6. Administering discipline in a fair and impartial manner to teach the principles of justice and citizenship by example;
7. Communicating on a regular basis with parents regarding their children's academic and conduct progress; and
8. Involving parents/guardians in the process of problem solving.

Community Organizations' Responsibilities

Public, private, religious, secular organizations and businesses can help address the prevention, intervention, and remediation of issues associated with student discipline when they:

1. Assist in violence prevention, substance abuse education and character development.
2. Serve as a resource for families of students unable to meet the academic and behavioral expectations of the school and community;
3. Assist with students and parents/guardians in re-entry to schools;
4. Become partners with schools by coordinating services to support school system disciplinary policies and by mentoring students in the development of positive social skills; and
5. Serve as mentors in nurturing a caring, orderly and safe environment;
6. Partner with the Student Services department to provide resources that assist with the needs of our students.

Attendance

Regular attendance is an important part of education. Students are required to attend school and all classes every day. By attending classes a student can best develop the skills and knowledge necessary to function in a modern democratic society.

It is the expectation that attendance will be reported and recorded every day. If a student is absent the parent and/or guardian shall call the school as soon as possible after the school is in session. If a parent wishes a student to leave during the school day, a note from home or a phone call from the parent is required. The principal or designee may release a student based on the parent request. All absences, regardless of reason, shall be recorded on the student's permanent attendance record.

Excused Absences: An excused absence is one, which has been classified excused by the Board of Education six stated reasons below.

Absences shall be excused for the following reason:

1. Illness of the student
2. Urgent need of the child to be at home due to illness in the immediate family
3. Death in the family
4. School approved activities
5. School closings due to inclement weather
6. For all other discretionary reasons, please contact the Director of Student Services

Unexcused Absences: An absence will be classified as unexcused if it does not fit one of the Board of Education's six stated reasons for excusable absences or the District's attendance procedure is not followed; and fails to comply with the District's procedures and the State Compulsory Attendance Laws.

Examples of an unexcused absence: Missed Bus, No Transportation, Out of Town, Vacations, and Babysitting

An unexcused absence results in your child being truant. According to the Kansas State Law, a student is truant if he/she is absent without a valid excuse.

Truancy: 3 consecutive unexcused absences
5 unexcused absences in a semester
7 unexcused absences in a school year

Please contact Student Services regarding the Wyandotte County Truancy Program.

**Note: No student shall be considered truant while subject to out of school suspension or expulsion as the result of a violation of the Code of Student Conduct.*

Tardiness: Accumulated tardiness to school will result in an unexcused absence as defined by the Kansas statute when a child is inexcusably absent from school a significant part (this includes students leaving early prior to the end of the school day) of the school day. This can also result in truancy when it accumulates to 5 unexcused absences in a semester.

7 unexcused days tardy = 1 unexcused absence

Bullying Definition

Bullying means:

(A) Any intentional gesture or any intentional written, verbal, or physical act or threat, including cyber bullying, that is sufficiently severe, persistent or pervasive so as to create an intimidating, threatening or abusive educational environment or workplace environment such that a reasonable person, under the circumstances, knows or should know will have the effect of: (i) Harming a student or staff member, whether physically or mentally; (ii) damaging a student's or staff member's property; (iii) placing a student or staff member in reasonable fear of harm to the student or staff member; or (iv) placing a student or staff member in reasonable fear of damage to the student's or staff member's property; or (v.) any form of intimidation or harassment prohibited by the board of education in policies concerning bullying adopted pursuant to K.S.A. 72-8205(e), and amendments hereto.

Cyber bullying:

refers to the intentional, persistent and pervasive use of communication technology inclusive of and not limited to: social networking sites, such as: Xanga.com, facebook.com, myspace.com; or photography, cellular telephones, instant and text messaging, email or other forms of electronic communication that creates a substantial and material disruption within the school environment, buildings, school sponsored events or school vehicles for a student or staff member that a reasonable person, under the circumstances, knows or should know will have the effect of: (i) Harming a student or staff member, whether physically or mentally; (ii) damaging a student's or staff member's property; (iii) placing a student or staff member in reasonable fear of harm to the student or staff member; or (iv) placing a student or staff member in reasonable fear of damage to the student's or staff member's property; or (v.) any form of intimidation or harassment prohibited by the board of education in policies concerning bullying adopted pursuant to K.S.A. 72-8205(e), and amendments hereto.

Cell Phones

In an attempt to encourage responsibility and promote positive and productive educational environments, students will be allowed to possess cell phones, but the use of cell phones will only be permitted after school or with explicit permission from an administrator or teacher. The possession of a cell phone is a privilege.

After school cell phone use must comply with school and District policies. Lost or stolen cell phones are not the responsibility of school personnel or District.

Violations of the Cell Phone Use Policy are subject to Class I or Class II Offenses and Disciplinary Action.

A confiscated phone will be labeled with the student's name and kept in the main office until the parent/guardian takes possession. However, the school is not responsible for lost, stolen or broken cell phones or any other electronic devices and will not pay for phones or other electronic devices that are lost, stolen or misplaced.

Parent Messages and Telephone Calls:

We request your cooperation in limiting classroom disruption. If an emergency arises, please call the front office. Every time a classroom door is opened, concentration and instruction are interrupted. Our teachers thank you!

Pupil Transportation

Safety and Conduct

The first requirement for bus safety is an orderly bus. The school bus is considered as an extension of the classroom rules, regulations and procedures to assure safe, courteous and efficient transportation services is consistent with the Board Policies in this Code of Conduct.

Therefore, temporary suspension of a student's riding privileges because of improper conduct may be ordered by the Director of Transportation and/or the school principal and or designee for Director of Transportation.

Driver Authority

In the interest of maintaining property safety standards, the bus driver may issue discipline notices to any student, whom creates a disturbance or violates safety rules specified herein:

Illustrations of improper conduct:

- a. Failure to remain seated at all times except when entering or leaving the bus.
- b. Loud conversations, shouting, obscene language or gestures not properly suited to a classroom.
- c. Scuffling, fighting, jostling, or otherwise creating a disturbance or disorder.
- d. Extending hands, heads or objects from the bus.
- e. Throwing any object including paper or trash either within the bus or out of the bus.
- f. Creating any hazard, damage or unnecessary delay of the bus before entering, while on, or after leaving the bus.
- g. Physical or verbal abuse toward the bus driver.
- h. Tampering with any of the operating equipment including sitting in the driver's seat or opening the emergency door.

Seating

Every student shall be seated and drivers may assign seats.

Seating may be three pupils per seat in a 39-inch seat and two per seat in a 26-inch seat.

Bus capacity shall be determined by allowing 13 inches of seat width per individual times the number of 39-inch seats (3 passengers) and 26-inch seats (2 passengers) per bus. If the bus is at capacity any larger objects including musical instruments that cannot reasonably be held on the lap on the bus are subject to being removed.

Discipline: Offenses/Definitions

The Code of Conduct has been written to illustrate that there are levels of intervention strategies and consequences within Class I and II offenses. Every teacher and administrator shall address student behavior through the list of interventions and or consequences in no particular order. Each school can commit to its own model or practice to address and document student behavior so that each student, teacher/staff, administrator, and parent of the school understands the behavioral expectations and systematic implementation (i.e. BIST, PBS, etc).

Class I offenses include a wide range of behaviors which disrupt the learning environment but are normally not severe enough to need a referral to administration. The classroom teacher is the first level of intervention to correct Class I behaviors. In most cases, intervention strategies used by the teacher will be sufficient to bring the student's behavior to an acceptable level.

Class II offenses are behaviors that tend to disrupt the learning environment in a more serious nature and are not reflective of the high expectations set for students. A Class II offense may warrant an office referral. These consequences in Class II include interventions up to and including expulsion and involvement of law enforcement if necessary.

When a student engages in behaviors listed in Class I and II the administration shall have full range of interventions and consequences listed in Class I and II available to address the behavior. Consideration will be given to whether that violation constitutes an example of repeated misbehavior or seriously disrupts or threatens the school security and order. Under these circumstances, the violation will be treated as persistent disobedience or gross misconduct, or a serious or persistent disregard of behavioral expectations stated in the Student Code of Conduct.

Class III and IV offenses are behaviors that may seriously jeopardize school order and security. The establishment of interventions or a SIT plan is not required when the offense falls under the Class III or Class IV. However, a plan must be initiated before the student returns from suspension so that strategies can be implemented immediately upon the student's return to school.

Class I Behaviors with Definitions:

Class I offenses include a wide range of behaviors which disrupt the learning environment but are normally not severe enough to need a referral to administration. The classroom teacher is the first level of intervention to correct Class I behaviors. In most cases, intervention strategies, used by the teacher will be sufficient to bring the student's behavior to an acceptable level.

Following is a list of Class I behaviors and definitions:

Excessive Tardiness: Repeated failure to report without acceptable excuse to assigned classrooms or other instructional areas in a school day after the tardy bell rings. See page 8 for the attendance policy for excessive tardiness, late arrivals, to the reported start of the school day and including leaving early.

Improper Display of Affection: Improper touching, hugging, kissing and/or engaging in inappropriate social behavior.

Non-Conformity to Dress Code: (1) Dress or appearance that is likely to cause disruption of the educational process or to create a health or safety problem; or (2) failure to comply with policy governing attire set by the Board of Education or as stated in building policies provided that such policies are communicated to students.

Obscene Behavior/Use of Profanity: The use of any language or actions, written, oral, physical, or electronic, remark or expression, including obscene gestures, which is offensive to modesty or decency, in violation of community or school standards.

*If done repeatedly after being told to stop by a school staff member or if directed at a school staff, this becomes a Class II offense.

Possession of Educational Nuisance: Devices that impede or interrupt the educational process including, but not limited to, video games, disc players, playing or trading cards, laser pointers, stink bombs, electronic devices, stuffed animals, radios, MP3 players and skateboards.

Skipping Class: The unauthorized absence from a scheduled class or after school detention, without obtaining consent of the proper school authority.

Unauthorized Sale or Distribution of Items Not Otherwise Specified: Unapproved sale or distribution of items not otherwise defined in the code of student conduct.

Violating Hall Rules: The failure to comply with or follow established procedures for hallway behavior.

Violating Lunchroom Rules: The failure to comply with or follow established procedures for use of the lunchroom facilities.

Violating Playground Rules: The failure to comply with or follow established procedures for playground activities.

Violating School Assembly Rules: The failure to comply with or follow established procedures for proper assembly conduct.

Classification I Interventions and Consequences:

INTERVENTIONS Class I Offenses:

- A. Community service
- B. Counseling / social work services
- C. Parent conference
- D. Peer mediation
- E. Community / mental health resources with parental consent
- F. Student behavior contract/plan that addresses behavior
- G. Student conference and/or temporary removal from class

CONSEQUENCES Class I Offenses:

- 1. Time-owed / time for time / detention
- 2. Denial of participation/attendance at extracurricular activities
- 3. Denial of school privileges (field trips, picnics, assemblies)
- 4. In school suspension (where available)
- 5. Saturday school / extended day (where available)
- 6. Community service
- 7. Restitution
- 8. Short-term suspension alternative program (where available)

Class II Definitions and Explanations:

Classification II includes behaviors which are serious in nature. Some, but not all, of these behaviors are criminal acts. These behaviors tend to disrupt the school learning environment, are not reflective of the high expectations set for students and will not be tolerated. These consequences in Classification II include interventions up to and including expulsion and the involvement of law enforcement.

Following is a list of Class II behaviors and definitions:

Academic Dishonesty/Cheating/Forgery: Academic dishonesty through cheating, copying, forging signature of teacher and/or parent, plagiarizing, or altering records, or assisting another in such actions.

Contributing to or Inciting a Disruptive Situation: The intentional promotion or advocacy of student misconduct by any student, for any purpose; or (2) Behavior which interferes with the learning of others in a classroom or other learning environment.

Defamation: False or unprivileged statements or representations about an individual or identified group of individuals that harm the reputation of the person or the group by demeaning him, her, or them, or deterring others from associating or dealing with the individual group.

Defiance of Authority: The refusal to comply with a reasonable request or directive from school personnel or disobeying any general rule of school conduct.

Disrespect: Inappropriate comments or physical gestures to teachers or staff members or others.

Fighting: Willful engagement of two or more students in physical combat.

Gambling: The participation on school property in games of chance with the express purpose of exchanging money or tangible barter.

Gross Disruptive Behavior: Minor scuffles may involve, pushing and shoving that interfere with the educational environment, but does not result in major injury.

Impermissible Driving to School: Elementary and middle school students and students not properly licensed are not permitted to drive a car to and from school.

Inappropriate Computer/Internet Misuse: Accessing, communicating or creating inappropriate and/or profane information.

Inciting to Fight: The intentional promotion by a student to engage another student in a physical conflict, continuous harassment, disruption, or to engage and/or promote other students to engage in a physical conflict or disruption for any purpose or behavior which interferes with the learning of others in a classroom or other learning environment.

Leaving School without Permission: The leaving of school grounds during the designated school day without first obtaining permission of the principal or principal's designated representative. (Parents, for just cause, must sign out for permission for their child to leave school grounds.)

Misbehavior on Bus: The failure to comply with or follow established procedures for bus transportation privileges. Please refer to the Pupil Transportation policies previous pages.

Misuse use of Technology Devices: The willful or intentional misuse of any technological equipment such as cellular phones, computers, video equipment or other audio-visual equipment that results in damage, computer hacking, or any other illegal activity, or; Possession or use of any electronic device, carried, worn, or transported by a student to receive or communicate messages that is not authorized by the local Board of Education.

Possession of Incendiary Devices: The possession and use of any combustible or explosive substance or device(s), including fireworks, is forbidden. The intentional or unintentional damaging of a building, injury to persons, or the disruption caused either in the building or on school grounds, by the use of any combustible or explosive substances or devices.

Multiple violations may result in Class III consequences.

Setting Off Falsely or Misuse of Disaster Alarm or Equipment: The intentional activation of fire alarms or like warning devices.

Stealing/Theft: The unlawful taking or disposition of property of another with intent to deprive the person of the property, without threat, violence or bodily harm. Receiving stolen property or possession of stolen property is included in this offense.

Tobacco Possession: Having tobacco on one's person, in one's pockets, bags, car, and locker, on school property or at school-sponsored event(s).

Tobacco Use: Smoking, chewing, or otherwise using tobacco. The use in any manner, in any form or manner of tobacco products while in or upon school premises and a minimum of 200 ft away from any school facility, including, but not limited to smoking, chewing, or inhaling tobacco.

Trespassing: Unauthorized presence on school property after being warned to leave or not to appear on such, including but not limited to, while on suspension.

Truancy/Skipping School: Violation of state, school district, or school policy relating to attendance. The unauthorized absence from school, a scheduled class or after school detention, without obtaining consent of the proper school authority. Please note your school buildings practices. Refer to previous pages for Kansas statute.

Vandalism-Personal: Willful destruction or defacement of an individual's property or property belonging to a group other than the school district.

Vandalism-School Property: The willful or malicious destruction of any school district property. Vandalism includes, but is not limited to, breaking windows, writing on walls, destroying restroom fixtures, or the use of print or like materials to deface any portion of the interior or exterior of school property, including the furnishings and equipment housed within or upon the school property.

Violation of Parking Rules: The failure to comply with or follow established procedures for school parking for students.

Classification II Interventions and Consequences:

INTERVENTIONS Class II offenses:

- A. Community service
- B. Counseling/social work services
- C. Parent conference
- D. Peer mediation
- E. Community / mental health resources with parental consent
- F. Student behavior contract / plan that addresses behavior
- G. Student conference and/or temporary removal from the class

CONSEQUENCES Class II offenses:

- 1. Time-owed / time for time / detention
- 2. In school suspension
- 3. Denial of participating or attending extracurricular activities
- 4. Denial of school privileges (i.e. field trips, picnics, graduation services)
- 5. Community service
- 6. Saturday school (where available)
- 7. Short-term suspension alternative program (where available)
- 8. Suspension with services
- 9. Suspension without services
- 10. Long-term suspension with services
- 11. Long-term suspension without services
- 12. Expulsion with services
- 13. Expulsion with out services
- 14. Truancy/skipping school – referral to Wyandotte County District Attorney's Office. See page 8 regarding attendance and following the Kansas Compulsory Attendance Law

Class III Definitions and Explanations:

Classification III includes behaviors that may seriously jeopardize school order and security. The majorities of these behaviors are criminal acts and will be treated very seriously by school officials. Accordingly, the consequences in Classification III include intervention up to and including expulsion and the involvement of law enforcement officials.

Following is a list of Class III behaviors and definitions:

Alcohol Possession: The selling or dispersing of alcohol or drugs or other controlled substances. Having alcoholic beverages on one's person, in one's pocket(s), bag(s), car, and locker, on school property or at school-sponsored event(s).

Alcohol Solicitation/Sale: Selling or purchasing alcoholic beverages on school property or at school-sponsored event(s).

Alcohol Use: Drinking alcoholic beverages on school property or at school-sponsored event(s).

Drug Paraphernalia Possession: Having equipment (e.g. bong) used in consuming illegal drugs in one's pocket(s), bag(s), car, locker, on school property or at school-sponsored event(s).

First-time use or possession of small quantities of controlled substances or drug paraphernalia requires referral to Project P.A.C.T in addition to being referred to Project P.A.C.T, the student will be placed on a five (5) day suspension. Failure to complete P.A.C.T, failure to enter P.A.C.T, or subsequent use of possession will result in the imposition of discipline including suspension/or expulsion.

***Note:** When it is necessary and/or in the best interest of the student to have prescribed medication while in school, it is permissible to use Administrative Guidelines 5.3.3.7.1.3.2 (Substance Abuse Prevention/Intervention Services).

Extortion: The process of obtaining property from another, with or without that person's consent, by a wrongful use of force, fear, or threat.

False Reports/Bomb Threats/School Threats: Any threat (verbal, written, or electronic) by a person to bomb or use substances or devices for the purpose of exploding, burning, causing damage to a school building or school property, or to harm students or staff. The conveyance of threats or false information concerning the placement of explosive or destructive substances, initiating a report, warning of a fire, or other catastrophe without cause. Misuse of 911. Discharging a fire extinguisher.

Gang Related Activity: The presence of gangs, gang related activities can cause substantial disruption of or material interferes with school and school activities. By this policy, the Board of Education acts to prohibit any presence of gangs and/or gang related activity.

Note: The following definitions are derived from the Kansas Statute K.S.A. 21-4246 (2009)

A "gang" as defined by this policy is any group of two or more persons which has a common name or common identifying sign or symbol whose purposes include the commission of illegal or disruptive acts within the educational environment. This includes but not limited to common clothing, emblem or attire as well as the threat / intimidation of others which are endorsing membership or affiliation of any gang.

Gross Disrespect/Verbal Abuse of Teacher/Staff: Any act of disrespect directed at a teacher/staff member, which includes use of profane, vulgar, or insulting remarks, gestures, or a statement that upbraids or is intended to upbraid such employee.

Harassment/Conduct: Hate-Related: If in the commission of or the attempted commission of or as part of a conspiracy to commit a Class I, II, or III offense, it is determined that the student intentionally selected the person against whom such misconduct was directed or selected the property that is damaged or stolen in whole or in part because of the student's belief or perception regarding race, religion, color, disability, gender, sexual orientation, national origin or ancestry of that person or the owner of that property, whether or not the student's belief or perception was correct, the student shall be suspended for a minimum of 30 days. A student's return to his/her school and continued enrollment therein shall be conditioned on his/her demonstration of having commenced appropriate counseling or tolerance training (at the student or parent's expense) and the submission of a statement by the student's parent or guardian or an appropriate health care professional indicating the student's satisfactory completion of such counseling or training.

Harassment: Individual (Threatening of Another Student/Bullying): The intentional unlawful threat or intimidation by word or act to do violence to the person or property of another student or the doing of any act which creates a well founded fear within the other person. Targeting a peer for threatening, repetitive, negative, actions resulting in a feeling of powerlessness on the part of the victim. Repeatedly annoying or attacking a student resulting in a hostile educational environment specific to that individual.

Harassment: Cyber bullying: Bullying by use of any electronic communication device through means including, but not limited to, e-mail, instant messaging, text messages, blogs, mobile phones, cell phones, pagers, on-line games and websites.

Harassment: Sexual: Unwanted and inappropriate verbal, written, or physical conduct directed toward others. Unwelcome sexual advances, touching, requests for sexual favors, and/or other inappropriate verbal, written, or physical conduct of a sexual nature directed toward others, including gender-based harassment. This includes, but is not limited to derogatory comments, jokes, slurs, remarks or questions of a sexual nature; offensive touching, derogatory or offensive posters, cards, cartoons, graffiti, drawings, gestures, sexual rankings, the rankings or scoring of body parts, leering and including Sexting: The practice of sending or posting sexually suggestive text message and images, including nude or semi-nude photographs via cellular phones or over the internet.

Illicit Drug Possession: Having an illegal drug or over-the-counter medication in violation of school policy in one's pocket(s), bag(s), car, locker, etc., or at school-sponsored event(s).

Illicit Drug Use: Smoking, snorting, injecting, ingesting, or otherwise using an illegal drug or over-the-counter medication in violation of school policy, on school property or at school-sponsored event(s).

Illicit Drug Solicitation/Sale: Selling or purchasing illegal drugs or over-the-counter medication in violation of school policy.

Indecent Exposure: Exposure of the private parts of the body in a lewd or indecent manner in a public place or on school property or school-sponsored event.

Intimidation/Threatening of Staff and Students: Physical, verbal, written or electronic action which immediately creates fear of harm, without displaying a weapon and without subjecting the person to actual physical attack, or the doing of any act which creates a well founded fear within the student or school employee.

Marijuana Possession: Having marijuana or another cannabinoid on one's person, in one's pocket(s), bag(s), and car, locker, on school property or at school-sponsored event.

Marijuana Use: Smoking, snorting, injecting, or otherwise using marijuana or another cannabinoid, on school property or at school-sponsored event(s).

Marijuana Solicitation/Sale: Selling or purchasing marijuana or another cannabinoid, on school property or at school-sponsored event(s).

Non-Violent Sexual Offenses: Behavior intended to result in sexual gratification without force or threat of force.

Physical Assault / Battery: Intentionally causing bodily harm to an individual.

Possession of Dangerous Device: A student shall not possess, handle or transmit any object that can reasonably be considered a dangerous device on the school grounds or off the school grounds at a school activity, function or event. This shall include any dangerous devices, used as a weapon or destructive device, or any facsimile of a weapon.

A "Dangerous Device" is also defined as all substances or materials, the presence of which is prohibited by school policy or state or federal law, including but not limited to, controlled substances, drugs, alcohol or alcoholic beverages, abuseable glue or aerosol paint and dangerous devices. This term also includes items, which have been reported stolen, lost or misplaced.

"Dangerous Devices" under this provision includes the following:

dagger, stiletto, dangerous knife and straight razor;

Note: Switchblades – See the Weapon-Free Schools Act on page 23.

acid, mace, pepper-spray, or other deadly or dangerous chemical;

air gun, spring gun or other instrument or dangerous device in which the propelling force is a spring or air, and any dangerous device in which any loaded or blank cartridge may be used (such as a BB or pellet gun); imitation pistol; toy or facsimile gun that project with loaded or blank cartridges and ammunition; and any deadly dangerous device or sharp pointed instrument that can be used as a weapon (such as broken glass, case cutter, chains, wire). Even a nail file can be considered a dangerous device when factors indicate that the individual in possession of such an article has the intention of using it as a dangerous device in order to inflict physical or mental harm.

Note: A weapon is defined in Class IV under the Weapon-Free Schools Act on page 23.

Possession with the Intent to Sell, Give, Deliver, or Distribute Alcohol, Drugs, Inhalants, Controlled Dangerous Substances, Drug Paraphernalia and/or Look-Alikes: Possession with the intent to sell, give or deliver, or distribute any alcoholic substances; tobacco or tobacco products; inhalants or other intoxicants; controlled dangerous substances including prescription drugs, over-the-counter medicines, look-alike drugs, substances represented as controlled dangerous substances; or drug paraphernalia.

Robbery: The taking of, or attempting to take anything of value that is owned by another organization and/or individual, under confrontational circumstances, by force, or threat of force or violence and/or by putting the victim in fear.

Sexual Misconduct: Actual or simulated conduct including but not limited to, fondling, touching, indecent exposure, or the engagement in any heterosexual or homosexual act on school property, during school functions, or at school sponsored activities.

Stalking: A malicious course of conduct that includes approaching or pursuing another person with the intent to place that person in reasonable fear of serious bodily injury or death or that a third person will likely suffer serious bodily injury or death.

Tobacco Solicitation/Sale: Selling or purchasing tobacco products, including but not limited to cigarettes, chewing tobacco in or upon school premises.

Use and/or Threat to Use Fireworks or Explosives Possession, Sale, Distribution, Detonation, or Threat of Detonation of an Incendiary or Explosive Device: This includes firecrackers, smoke bombs, flares, or any combustible or explosive substance or combination of substances or articles.

Classification III Interventions and Consequences:

In addition to the consequences available under specific polices and those for Classification I and II violations, the following consequences may be used for Classifications III violations.

INTERVENTIONS Class III Offenses:

- A. Counseling / social work services
- B. Parent conference
- C. Student conference and/or temporary removal from class
- D. Peer mediation
- E. Plan that addresses behavior
- F. Community / mental health resources with parental consent
- G. Re-entry plan following suspension or expulsion
- H. Removal from regular education setting to alternative setting (where available)

CONSEQUENCES Class III-Offenses:

- 1. Denial Participation / attendance at extracurricular activities
- 2. Classification of consequences for gang related activity:

1st Offense: Suspension of 5 to 10 days with a mandatory parent meeting. The intervention plan will be put in place or reviewed and/or re-evaluated as needed and or suspension with a long-term hearing.

2nd Offense: Suspension with a Long-Term Hearing

3rd Offense: Suspension of 10 days and Long-Term Hearing with recommendation of expulsion

- 3. Hate-related counseling
- 4. In school suspension (where available)
- 5. Restitution
- 6. Removal to alternative setting
- 7. Alcohol and drug offenses - See Project PACT
- 8. Short term suspension with services
- 9. Short term suspension without services
- 10. Long term suspension with services
- 11. Long term suspension without services
- 12. Expulsion with services
- 13. Expulsion without services
- 14. Referral to law enforcement
- 15. Police contact / student arrest

Class IV Definitions and Explanations:

Classification IV includes behaviors that may seriously jeopardize school order and security. These offenses will result in an expulsion hearing.

Following is a list of Class IV behaviors and definitions:

Arson/Fire: To unlawfully and intentionally damage or attempt to damage any school or personal property by fire or incendiary device. Firecrackers, fireworks, and trashcan fires would be included in this category if they were contributing factors to a damaging fire.

Kidnapping: Unlawful seizure, transportation, and/or detention of another against his/her will, or without parental consent; includes hostage taking.

Murder/Homicide: Activities on school grounds or school sponsored activities or events that result in the death of a person or the killing of a human being.

Possession of a Firearm/Weapon: A student shall not possess, handle or transmit any object that can reasonably be considered a firearm on the school grounds or off the school grounds at a school activity, function or event. *See The Weapons-Free Schools Act below.*

Sexual Assault: Engagement in a sexual activity or behavior with a minor. Forced sexual contact or contact with an underage person.

Solicitation/Sale of Weapon: Sale or purchase of an instrument or object designed to inflict harm on other persons.

Use of Weapon: Use of an instrument or object designed to inflict harm on other persons.

The Weapon-Free Schools Act:

Students determined to be in possession of a weapon at school, on school property or at a school supervised "activity" shall be expelled for a period of not less than one year. The Superintendent, and only the Superintendent, at his or her discretion, may move to "modify the expulsion requirement in a manner which is consistent with the requirement of federal law." Students determined to be in the possession of a weapon shall be referred to appropriate state and local law enforcement agencies and, if the student is a juvenile, to the secretary of social and rehabilitation services.

Note: Under this law, weapon means:

- Any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
- The frame or receiver of any weapon described in the preceding example;
- Any firearm muffler or firearm silencer;
- Any explosive, incendiary, or poison gas (A) bomb, (B) grenade or rocket having propellant charge of more than four ounces, (D) missile having an explosive or incendiary charge of more than 1/3 ounce (E) mine, or (F) similar device;
- Any weapon which will, or which may be readily converted to expel a projectile by action of an explosive or other propellant, and which has any barrel with a bore of more than 2 inch in diameter;

- Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled;
- Any bludgeon, sand club, metal knuckles or throwing star;
- Any knife, commonly referred to as a switch blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward, or centrifugal thrust or movement.

The Weapon-Free Schools Act differs in several areas from the provision of the Student Suspension and Expulsion Act. Under the Suspension and Expulsion Act an expulsion cannot exceed 186 days. Under the weapons law the expulsion must be for a period of one calendar year, not one school year. A student's return to his/her school and continued enrollment therein shall be conditioned on his/her demonstration of having commenced appropriate counseling or tolerance training (at the student or parent's expense) and the submission of a statement by the student's parent or guardian or an appropriate health care professional indicating the student's satisfactory completion of such counseling or training.

Classification IV Interventions and Consequences:

INTERVENTIONS Class IV Offenses:

- A. Re-entry Plan Following Expulsion

CONSEQUENCES Class IV Offenses:

1. Expulsion Hearing without Services

Administrative Options for Violations

For a finding that a student has committed an offense in violation of the Code of Student Conduct, the penalty of discipline imposed shall be within the limitations set forth in policy 5.6.1.0.0 entitled "Consequences/Interventions" as deemed appropriate by the building administrator or hearing officer on appeal.

Nothing herein provided, however, shall limit the Superintendent from authorizing a principal to impose stricter consequences in an emergency situation where intentional and willful violation of the Code of Student Conduct substantially disrupts, impedes, or interferes with the operation of a school.

Additionally, the Board of Education may grant a variance from the Code of Student Conduct for any school with a unique program or specialized needs based upon the recommendation of the Superintendent of Schools following an appeal to the Superintendent by the school principal or director.

Corporal Punishment

No teacher or administrator or staff person shall use physical force or physical contact against a student or strike a student for any reason including as punishment for a violation of the Code of Student Conduct. Provided, however, nothing in this policy shall be construed to impair a teacher or administrator from using reasonable and necessary physical force to restrain a student in order to protect one's self, other persons, prevent the destruction of property, or to prevent any illegal overt act on the part of the student. (See policy No. 4.2.19.5.1. and 4.2.19.5.1.1.)

Options/Definitions

The list of options available to administrators includes, but not limited to, the following:

BIST®: Behavior Intervention Support Team: A behavior model that supports student behavior, through interventions and relationship building. This is a three step model: 1) Early Intervention, 2) Caring Confrontation, 3) Teaching/protective plan.

To learn more ask your family advocate or go to www.bist.org.

Compulsory Attendance: is required for every child who is enrolled in school and/or has reached the age of seven years and is under the age of 18 unless excused in accord with provisions of Kansas law. (K.S.A. 72-1113)

* As used in this code, the term "parent" includes stepparents and foster parents; and the term "person acting as parent" means a legal guardian or a person, other than a parent, who has physical custody of a child and has legal custody of the child, or is by law liable to maintain, care for, or support the child, or is contributing the major portion of the cost of support of the child. K.S.A. 72- 1046(d).

Detention: A period of temporary custody during regularly scheduled recess or beyond the length of the regular school day. Prior to the commencement of any detention, parental notification will be provided. Transportation from school after the period of detention is the sole responsibility of the student and his/her parent or guardian.

Extended-Term Suspension (also known as long-term suspension): A short-term suspension, which has been timely, followed with an official proposal to extend the period of exclusion from school to a period not to exceed 90 school days. The suspension time frame will not exceed a grading period. Such action may result in loss of credit for the affected semester. Mandatory parental notification.

Expulsion: A short-term suspension, which has been timely, followed with an official proposal to extend the period of exclusion to a term not exceeding 186 school days. Such action may result in loss of credit of not less than 1 and no more than 2 semesters. Mandatory parental notification.

Friday, Saturday School and/or Extended Day: A period of temporary custody from 3 to 5 hours on Fridays or Saturdays school days. Appropriate supervision, school assignments, and parental notification will be provided. Transportation is not provided.

In-School Suspension (ISS): The interruption of classroom attendance and regular school participation by official directive from the chief building administrator or the designated representative, for a period not to exceed 5 days. A designated, supervised, academically conducive but not restrictive atmosphere will be substituted. Parent notification will be provided.

Project P.A.C.T. (Positive Alternatives for Children in Trouble): An alcohol and drug intervention program requiring participation by the student and his/her parents or guardian. Referral to PACT is required for first time possession or use of alcohol or drugs in school, on school grounds or at school-sponsored activities. Failure to complete the PACT program, failure to enter PACT, or subsequent use and/or possession of alcohol or other drugs will result in long-term suspension.

Parental Notification/Notice: The act of giving notice of or reporting to the parent or guardian (either by telephone or written notice) the consequential or disciplinary action that has been imposed. In case of short-term, extended term and long-term suspension or expulsion written notice is required Kansas statute and shall be mailed to the residence of the parents or guardians at the address on file in the school records or by personal delivery. K.S.A. 7 10980(g) within four (4) days of the action taken.

School Connect® Curriculum: is a high school curriculum design to improve students' social and emotional skills, boost academic achievement and facilitate supportive relationships.

Second Step® Curriculum: is a research based violence prevention curriculum that teacher's Pre/K through middle school teaches to improve students' social and emotional skills for empathy, decision-making and problem solving, emotion management and anger management.

Short-Term Suspension: The interruption of school attendance by official directive from the chief building administrator or the designated representative, for a period of time not to exceed ten (10) days. Mandatory parental notification.

SIT (Student Improvement Team): The general education problem solving process that involves team decision making and using data to form professional determinations, as well as, focused interventions that are aimed at determining how each student learns effectively.

Truancy: when he/she is required by law to attend school and is not enrolled, inexcusably absent from school a significant part of the school day for three consecutive days, inexcusably absent from school a significant part of the school day five (5) or more days in any one semester or inexcusably absence from school a significant part of the school day for seven (7) days in a school year. A "significant part of the school day" is defined as more than one-third (1/3) of the school day. K.S.A. 72-1113(c)(d)

Alternative School Program (ASP): Students, who show repetitive, persistent misconduct, within the classroom, violating the condition of the student Code of Conduct, may be offered, at the discretion of the school administrator, the ASP placement as an alternative to a long-term suspension. ASP is located at the student's home school for a minimum of 10 hours per week, which may include up to 4 hours on Saturday. ASP is also at the home school to assist in the transition back to the regular school setting.

Procedural recommendations for alternative placement: student placement in ASP is not to exceed a five (5) weeks (25 school days) without a review to determine continued placement. A review team consisting of an ASP teacher, administrator, counselor, and parent will meet and determine if placement is to be continued. Continuation of placement after a review in ASP may not exceed another five (5) weeks (25 school days) without another required review.

Notice of Placement in Alternative Program

Placement of a student in an alternative school setting for disciplinary purposes shall not occur until notice and an opportunity for hearing has been provided to the student, and if the student has not attained 18 years of age, to the parent(s) and/or guardian(s). The aforesaid requirement for notice is satisfied by including it in the notice of short-term suspension or the notice of proposal for extended suspension or expulsion.

Description of School-Based Alternatives/Options

The list of options available includes, but is not limited to, the following:

Adult/Teacher Mentor: Mentoring is defined as a sustained relationship between a youth and an adult. Through continued involvement, the adult offers support, guidance, and assistance as the younger person goes through a difficult period, faces new challenges, and/or works to correct earlier problems.

Two types of mentoring occur: natural mentoring and planned mentoring. Natural mentoring occurs through friendship, collegiality, teaching, coaching, and counseling. Planned mentoring occurs through structured programs in which mentors and participants are selected and matched through formal process. Schools have the opportunity to participate in both types of mentoring and offer students additional support through these services.

After School Activities: Schools are encouraged to provide activities for students after school hours. Activities provided should be diverse to meet the various needs of students. Activities can include, but are not limited to, extracurricular sports, tutoring, reading clubs, language clubs, healthy lifestyles clubs, the arts, computers, and structured game time or intramurals. Students can be placed in after school activities as part of an intervention, where and when available.

Behavior Contracting: Behavior contracts are used with students who are exhibiting behavior(s) that are causing them difficulty in school, either behaviorally or academically. Contracting clearly outlines the expectations of the student, school and family, as well as defining the consequences associated with compliance or non-compliance with the contract. (i.e. BIST)

Parent Conference (Home Contact): Parent conferences or contact with the home should be done as frequently as possible. Involving the parents or guardian in the student's education and behavior further supports the school and the efforts of intervention. Conferences also provide additional insight into the student's behavior or academic performance witnessed by the family. Parent conferences are mandatory only if the team wants to make a recommendation that additional assessments be obtained outside of the school, illegal or severe behavior has been committed, or a life-threatening situation has arisen. All students and families are assigned a Family Advocate and through Family Advocacy, contacts and relationships will be built.

Peer Leadership/Helpers: Some of the district's high schools and some of the middle schools have established Peer Helpers programs. Students that participate in these programs are trained in effective listening, providing support and assisting peers when needed. Students are not counselors but are trained to seek the assistance of an adult if a concern arises that is life threatening or too difficult for the Peer Helper to manage. Peer Helpers can be connected with students and devise a "buddy system" when appropriate or they can be called on to work with their peers one-on-one.

Peer Mediation: Peer Mediation programs are designed to encourage students to solve their own problems. Students must first be trained in appropriate conflict resolution skills and then provided an environment in which to conduct mediations. Students who demonstrate difficulty with others can be referred to mediation with peers as part of a structured intervention.

Saturday School: Established to provide students with additional support.

The programs are scheduled on Saturdays for three to five hours. Appropriate supervision, school assignments, and parental notification will be provided. Transportation is not provided.

Short-Term Suspension/Alternative Program: 10 days of in school suspension utilizing the Second Step Curriculum.

Time Owed/Time for Time: A period of time when a student must make up time that he/she owes to the classroom teacher or other adult in the building. This can be done during the regular school day, recess or after the regular school day or determined by the school.

Tutoring Sessions: If students are identified as struggling with their school work, tutoring sessions before, after or during the school day should be established to assist these students. All students have the right to obtain additional support as needed. Tutoring sessions can be part of the School Improvement Plan, Title I activities or Supplemental Services.

Description of Community-Based Alternatives/Options

The list of options includes, but is not limited to, the following:

Community Service Programs: It is important to have youth involved in community service programs to support a sense of contribution and commitment to their own community. Students can be encouraged to participate in community service projects to promote active involvement and contribution to the community. In other cases, students are placed in community service programs as part of restitution. In either situation, if students are completing community service, communication with the school is important.

Job Service/Training Programs: Some students do not succeed in the traditional education setting and may benefit from participation in a job training or vocational program. A referral to such a program would be used to provide the student with a successful experience and prepare them for their future. In addition, some students are already participating in such programs and this information needs to be shared so that the school can support the student's participation in class selection and preparation.

Law Enforcement: Some students have experienced difficulty with the law or currently have a probation officer; this partnership with the school is intended to provide consistent support to the student. This option should be used to gather additional information about the student and is not intended to be used as a punitive action. However, under the Kansas Safety Law educators are required to report to law enforcement any suspicious or harmful acts. (see BOE policy, 4.1.12.5.0 et. Seq. and 4.2.13.5.0 et. Seq.)

Local Treatment Centers: Local treatment centers are utilized when the team feels that additional assessment is needed to make an appropriate recommendation. The team refers to the local treatment center for assessment only; the referral is *not* for treatment services. Treatment center personnel are encouraged to work with school personnel and family members in communicating their results, so that the school can continue to support the student in an appropriate educational manner. It is not the role of the school to provide therapeutic interventions, diagnosis or treatment services; thus, community resources become an important entity for the success of students. If students have been in a treatment program, it is important for the school to be aware of this so that continued support can be provided to the student when he/she returns to school.

Mental Health Centers: Mental health centers are utilized in the same way as the local treatment centers. School personnel can refer to the mental health center for further assessment, but not for treatment. Treatment recommendations come from either the center itself or the family. Mental health centers provide services not only to youth, but also the entire family. Again, if students are receiving services from a mental health center, it is important for the school to be notified so that consistent, educationally-based support can be provided in the school.

Social Service Agencies: Students may be involved with one or more social service agencies and a partnership among these agencies and the school is important to provide consistent service to students. Schools can also provide a recommendation to the parent or guardian to a social service agency for additional support. The family has the right to decline the recommendation.

Social Rehabilitative Services (SRS): Some students are under the guardianship of SRS and a partnership between SRS and the school is essential in providing consistent service. The partnership with this agency is not intended to report students in a punitive manner, but rather support student and family success.

Procedure for Suspension and Expulsion

Authority to Suspend or Expel

The Superintendent of Schools and/or any principal having charge of a school and any certified employee acting as a hearing officer for an appeal to the Board of Education are hereby authorized to suspend or expel any student found guilty of any of the grounds prescribed in Policy No. 5.6.3.2.0. K.S.A. 72-890 1.

Grounds for Suspension or Expulsion

A student shall be suspended or expelled from school upon finding that the student is guilty of:

- (a) willful violation of any published regulation for student conduct adopted or approved by the Board of Education (Code of Conduct) for which the applicable penalty or discipline is suspension or expulsion from school; or
- (b) conduct which substantially disrupts, impedes, or interferes with the operation of any public school; or
- (c) conduct which endangers the safety of others or substantially impinges upon or invades the rights of others at school, on school property, or at a school supervised activity; or
- (d) conduct which, if the student is an adult, constitutes the commission of a felony or, if the student is a juvenile, would constitute the commission of a felony if committed by an adult; or has resulted in conviction of the student of any crime specific in Chapter 21, of the Kansas Statutes Annotated or any criminal statute of the United States; or
- (e) conduct at school, on school property, or at a supervised activity which, if the student is an adult, constitutes the commission of a misdemeanor if committed by an adult; or
- (f) disobedience of an order of a teacher, peace officer, school security officer, or other school authority when such disobedience can reasonably be anticipated to result in disorder, disruption, or interference with the operation of a school or substantial and material impingement upon or invasion of the rights of others; or
- (g) failure to comply with the Kansas School Immunization Law. When a student is suspended under this policy, notice and hearing shall be provided in accordance with procedures hereinafter set forth. The suspension shall extend until compliance is obtained. K.S.A. 72-5208-5211a.

Duration of Suspension or Expulsion

A suspension may be for a short term not exceeding ten school days, or for an extended term not exceeding 90 school days. An expulsion may be for a term not exceeding 186 school days. If a suspension or expulsion is for a term exceeding the number of school days remaining in the school year, any remaining part of the term of the suspension or expulsion may be applied to the succeeding school year.

Short-Term Suspension Procedure

A short-term suspension not to exceed ten (10) days may be imposed upon a student after giving the student oral or written notice of the charges against the student and after affording the student a hearing thereon. Such hearing shall be held immediately and may be conducted informally but shall include:

- (a) the right of the student to be present at the hearing,
- (b) the right of the student to be informed of the charges against the student,
- (c) the right of the student to be informed of the basis for the charges, and
- (d) the right of the student to make statements in defense or mitigation of the charges or accusations.

If the student's presence endangers other persons or property or disrupts, impedes or interferes with operation of the school, a short-term suspension may be imposed forthwith without a hearing.

Written Notice of Short-Term Suspension

A written notice on Form A (see Policy No. 5.6.3.8.1) of any short-term suspension and the reason therefore shall be given to the student involved and mailed to the student's parents or guardian of the student is under 18 years of age, within 24 hours after such suspension has been imposed. In the event the student has not been afforded a hearing prior to the short-term suspension, an informal hearing shall be provided as soon thereafter as practicable but in no event later than 72 hours after such short-term suspension has been imposed. K.S.A. 72-8902(b)(2).

Extended Suspension and Expulsion Procedure

No extended suspension and no expulsion shall be imposed upon a student until opportunity for a formal hearing on such suspension or expulsion shall be afforded to such student.

Written Notice of Extended Suspension or Expulsion; Place of Formal Hearing; Principal to Conduct Hearing

A written notice of any proposal to suspend for an extended-term or to expel from school and the charges upon which the same is based shall be given to the student proposed to be suspended or expelled and given or sent to the student's parents or guardian if the student is under 18 years of age at least two days prior to the hearing. It shall be sufficient if the notice is mailed to the address on file in the school records of the student. In lieu of mailing the written notices the notices may be personally delivered.

Such notice shall be prepared using Form B (see Policy No. 5.6.3.8.2) and shall state the time, date and place where the student will be afforded an opportunity for a formal hearing. The failure of the student and if the student is under 18 years of age the student's parents or guardians to attend the hearing will result in a waiver of the student's opportunity for the hearing.

The hearing date shall be no later than 10 days after the student has been given the notice of the proposed extended suspension or expulsion. Such notice shall be accompanied by a copy of K.S.A. 72-8901, et. Seq., and the Code of Student Conduct. The place of the formal hearing on an extended suspension or expulsion shall be at the school, which has proposed that the student be suspended or expelled. The principal or designee of the principal shall conduct the formal hearing. K.S.A. 72-89028.

Report of Results of Formal Hearing on Extended Suspension or Expulsion

Upon the conclusion of any formal hearing which results in suspension for an extended term or an expulsion, the principal or designee who conducted the hearing shall make a written report on Form C (see Policy No. 5.6.3.8.3) of the findings and results of the hearing. Such a report shall be directed to the Board of Education and filed in the office of the Director for Student Services.

The report shall be open to the inspection of the student and if the student is under 18 years of age, to the parents or guardians and counsel or other advisor of the student. If the student is an adult the report shall be open to the inspection of the parents or guardians and counsel or other advisor of the student only upon written consent of the student. K.S.A. 72-8903(c).

Information shall be provided to the student and parent/guardian concerning services or programs offered by public and private agencies that work toward improving the attitudes and behavior that contributed to the conduct upon which the suspension or expulsion is based.

Written Notice Results of Formal Hearing on Extended Term Suspension or Expulsion

Written notice of the results of any formal hearing resulting in an extended term suspension or expulsion shall be given to the student suspended or expelled and to the student's parents or guardian, if the student is under 18 years of age, within 24 hours after determination thereof. Such notice shall be prepared using Form D. (see Policy No. 5.6.3.8.4. and K.S.A. 72-8904(a)).

Procedural Due Process Requirements for Formal Hearings and Hearings on Appeal to Board of Education or Designated Officers

The formal hearing provided by the school and any hearing on appeal to the Board of Education or a designated hearing officer shall include the following due process requirements:

- (a) The right of the student to have counsel of the student's choice present and to receive the advice of such counsel or other person.
- (b) The right of the parents or guardian of the student to be present at the hearing.
- (c) The right of the student and the student's counsel or advisor to hear or read a full report of testimony of witnesses against the student.
- (d) The right of the student and the student's counsel to confront and cross-examine witnesses who appear in person at the hearing, either voluntarily or as a result of the issuance of a subpoena.
- (e) The right of the student to present the student's own witnesses in person or their testimony by affidavit.
- (f) The right of the student to testify in the student's own behalf and give reasons for the student's conduct.
- (g) The right of the student to have an orderly hearing.
- (h) The right of the student to a fair and impartial decision based on substantial evidence. K.S.A. 72-8903.

Appeal of Extended Suspension or Expulsion to Board of Education

Any student who has been suspended for an extended term or expelled, or one of the student's parents or guardians, may appeal such suspension or expulsion to the Board of Education by filing a written notice of appeal with the clerk of the Board of Education within 10 calendar days after receiving the written notice of the results of the hearing as specified in Policy No. 5.6.3.4.3.

Any such appeal shall be heard by the Board of Education or by a hearing officer appointed by such board, no later than 20 calendar days after such notice of appeal is filed. The student and the student's parents or guardians shall be notified in writing of the time and place of the appeal hearing at least 5 days prior thereto. In all extended or long-term suspension or expulsion cases appealed to the Board of Education, there shall be made a record of the appeal hearing. K.S.A. 72-8904(b).

Record of Appeal Hearings

In all extended-term suspensions and expulsion from school cases, there shall be made a record of the hearing of an appeal of the suspension or expulsion, whichever is applicable, by mechanical or electronic recording or by an official court reporter, and the costs thereof shall be paid by the school district.

Time for Board of Education Decision of Appeal

The Board of Education shall render its decision on any extended-term suspension or expulsion appeal not later than five (5) days after the conclusion of the appeal hearing. K.S.A. 72-8904(b).

Designated Hearing Officers for Board of Education Appeals

For the purpose of conducting a hearing on an extended term suspension or expulsion appeal to the Board of Education, the Board may appoint one or more hearing officers. Such hearing officer shall be a member of the Board of Education or a certificated employee of the District.

After hearing an appeal, such hearing officer shall prepare a written report to the Board of Education. After receiving such report, the Board of Education shall determine the appeal with or without additional hearing. K.S.A. 72-8904(c).

Powers and Duties of Persons Conducting Hearings

Any principal, assistant principal, hearing officer or the Board of Education conducting any extended suspension hearing involving the Code of Student Conduct and the suspension or expulsion of a student from school shall:

- (a) administer oaths for the purpose of taking testimony;
- (b) call and examine witnesses and receive documentary and other evidence; and
- (c) take any other action necessary to make the hearing accord with procedural due process. K.S.A. 72-8906.

Oath for the Purpose of Taking Testimony

Every witness before testifying shall take the following oath or affirmation. K.S.A. 60-418. The oath or affirmation shall be administered by the uplifted right hand. K.S.A. 54-102.

Oath: "You do solemnly swear that you will tell the truth and nothing but the truth so help you God." K.S.A. 54-204.

Affirmation: "You do solemnly, sincerely and truly declare and affirm that you will tell the truth and nothing but the truth; and this you do under the pains and penalties of perjury." K.S.A. 54-104.

Subpoena

72-8906. (a) Any person, hearing officer or any member of a committee or the board of education conducting a hearing under this act may: (1) Administer oaths for the purpose of taking testimony;

- (2) call and examine witnesses and receive documentary and other evidence; and
- (3) take any other action necessary to make the hearing accord with procedural due process

- (b) Any hearing officer, any member of a committee or the board of education holding a formal hearing or an appeal hearing under this act may and, upon the request of the pupil's parents or guardians or counsel shall petition the administrative judge of the judicial district in which the school district is located, requesting that the clerk of the district court be authorized to issue subpoenas for the attendance and testimony of the principal witness or witnesses and the production of books, records, reports, papers and documents relating to the proposed suspension or expulsion from school in the same manner as provided for the issuance of subpoenas in civil actions pursuant to K.S.A. 60-245 and amendments thereto.

Evidence

Any principal, assistant principal, hearing officer of the Board of Education conducting any formal or appeal hearing hereunder need not be bound by technical rules of evidence, but shall give the parties reasonable opportunity to be heard and to present evidence and the person conducting such hearing shall act reasonably without partiality. All relevant evidence shall be admissible, except that the person conducting the hearing may in his/her discretion exclude any evidence if he/she believes that its probative value is substantially outweighed by the fact that its admission will necessitate undue consumption of time. K.S.A. 72-5442; K.S.A. 77-524.

Intervention by Superintendent of Schools

The Superintendent of Schools may intervene in any short-term or extended suspension hearing or an appeal there from, if such intervention is deemed to be in the best interest of the student.

When exercising this authority, the Superintendent may abate the proceedings entirely or lessen the severity of the discipline imposed. The Superintendent may not, however, increase the level of discipline imposed.

The Administration may not appeal the Superintendent's modifications. If the proceeding is abated, the student may be returned to school immediately or within some other period prescribed by law.

Selected Kansas Laws Relating to Student Safety and the Possession of Weapons

(The following pages contain a summary of various State and Federal laws applicable to our schools).

The Kansas School Safety and Security Act

The Kansas Safety and Security Act was passed for “the purpose of creating safer and more secure schools and to provide a safe and orderly environment conducive to learning.” Under the Act, school district employees are required to make an “immediate report” to law enforcement if they know or have reason to believe that a felony, misdemeanor or act which involved the possession, use, or disposal of explosives, firearms or other weapons occurred at school, on school property or at a school sponsored event.

School employees must notify the superintendent, and after an investigation, the superintendent must notify other school employees when they have knowledge of the following:

- i. The identity of any student who has been expelled for conduct which endangers the safety of others, or conduct which substantially invades the rights of others at school or a school function;
- ii. The identity of any student who has been expelled for commission of felony type offenses;
- iii. The identity of any student who has been expelled for possession of weapons;
- iv. The identity of any student who has been adjudged to be a juvenile offender and whose offense, if committed by an adult, would constitute a felony, except a felony offense involving no direct threat to human life;
- v. The identity of any student who has been tried and convicted as an adult of any felony except a felony offense involving no direct threat to human life.

Criminal Possession of a Firearm

K.S.A. 21-4204(a)(5)(6) prohibits persons from possessing a firearm on school property or grounds. K.S.A. 21-4202(a) defines criminal possession of a firearm as follows;

- i. Possession of any firearm by any person other than a law enforcement officer, in or on any school property or grounds upon which is located in a building or structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of students enrolled in preschool, kindergarten or any of the grades 1 through 12 or at any regularly scheduled school sponsored activity or event; or
- ii. Refusal to surrender or immediately remove from school property or grounds or at any regularly scheduled school sponsored activity or event any firearm in the possession of any person, other than a law enforcement officer, when so requested or directed by an adult authorized school employee or any law enforcement officer.
Firearms may be at school only under the following circumstances:
 - A. Possession of a firearm in connection with a firearms safety course or firearms course approved and authorized by the school;
 - B. Possession of any firearm in school if the presence of the firearm is specifically authorized in writing by the superintendent;
 - C. Possession of a firearm secured in a motor vehicle by a parent, guardian, custodian or someone authorized to act in such person’s behalf who is delivering or

- collecting a student; or
- D. Possession of a firearm secured in a motor vehicle by a registered voter who is on the school grounds for the purpose of voting during polling hours on an election day

***Note:** There is not an exception in this law for a firearm secured in a student's motor vehicle. A student who has a firearm in his or her car on school property for the purpose of hunting before or after school is in violation of the law.

Violation of this law may constitute with a class B nonperson select misdemeanor or a class A nonperson misdemeanor.

Possession of Firearm by a Juvenile

Under Kansas law (K.S.A. 21-4202a), it is a crime for any person under the age of 18 to knowingly possess a firearm with a barrel less than 12 inches long.

Suspension of Drivers' License

It is the Principal's duty to report to the Director for Student Services who will then inform the Superintendent. The Superintendent will give written notice to local authorities of the expulsion or suspension of a student 13 years or older, when the student has been expelled from school or suspended for an extended term for:

Possession of a weapon at school, upon school property, or at a school supervised activity; or

Possession, use, sale, or distribution of an illegal drug or a controlled substance at school, upon school property, or at a school supervised activity; or

Behavior at school, on school property, or at a school supervised activity, which resulted in or was substantially likely to have resulted in serious bodily injury to others.

Upon receipt of notification of the suspension or expulsion of a student from school, local authorities in accordance with state law; will suspend the student's driver's license or privilege to operate a motor vehicle on the streets and highways of this state.

Official Board of Education Non-Discrimination Notice

The Kansas City, Kansas School District does not discriminate, and is required by law not to discriminate, on the basis of race, color, religion, sex, national origin, age handicap or disability in admission, access to, or treatment of its programs and activities.

The Kansas City, Kansas School District does not discriminate on the basis of race, color, religion, sex, national origin, age, handicap or disability in the administration of any employment initiative. Including hiring, firing, termination, disciplinary procedures, or other related programs and activities.

Disabled individuals shall have equivalent enjoyment of the programs, services, facilities, privileges, advantages or accommodations of any facility owned, leased or operated by the district.

Pursuant to Title IX of the Education Amendments of 1972, the Kansas City, Kansas School District does not discriminate on the basis of sex in any education program or activity, including programs, services, facilities, privileges, advantages or accommodations in facilities.

Specific complaints or alleged discrimination should be referred to Human Resources, Non-Discrimination Coordinator, 2010 North 59th Street, Kansas City, Kansas 66104; telephone number (913) 551-3200.

Regardless of the means selected for resolving the complaint, the initiation of a complaint of alleged discrimination will not cause any negative reflection on the complainant nor will it affect his/her access to the programs, activities, services, facilities, privileges, advantages or accommodations in facilities, provided by the Kansas City, Kansas School District.

Comments or suggestions regarding this document should be referred to:
Lisa Garcia, Director of Student Services,
2010 North 59th Street, Kansas City, Kansas 66104
Telephone number: (913) 551-3200.